

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

Case No. 8:20-cv-02491-PJM

v.

DENNIS M. JALI, et al.,

Defendants,

and

ACCESS2ASSETS, LLC,

Relief Defendant.

**ORDER AND FINAL JUDGMENT AS TO DEFENDANTS
THE SMART PARTNERS LLC AND 1ST MILLION LLC,
AND RELIEF DEFENDANT ACCESS2ASSETS, LLC**

Upon consideration of Plaintiff Securities and Exchange Commission's Motion for Default Judgment against Defendants The Smart Partners LLC ("Smart Partners") and 1st Million LLC ("1st Million") (collectively, "Defendants"), and Relief Defendant Access2Assets, LLC ("Access2Assets") pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure, and the memorandum of law in support thereof, IT IS HEREBY **ORDERED**, that Plaintiff's Motion is **GRANTED**.

I.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendants Smart Partners and 1st Million are permanently restrained and enjoined from violating, directly or indirectly, Section 10(b) of the Securities Exchange Act of 1934 (the "Exchange Act") [15 U.S.C. § 78j(b)] and Rule 10b-5 promulgated thereunder [17 C.F.R. § 240.10b-5], by using any

means or instrumentality of interstate commerce, or of the mails, or of any facility of any national securities exchange, in connection with the purchase or sale of any security:

- (a) to employ any device, scheme, or artifice to defraud;
- (b) to make any untrue statement of a material fact or to omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; or
- (c) to engage in any act, practice, or course of business which operates or would operate as a fraud or deceit upon any person.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also binds the following who receive actual notice of this Judgment by personal service or otherwise: (a) Defendants' officers, agents, servants, employees, and attorneys; and (b) other persons in active concert or participation with Defendants or with anyone described in (a).

II.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendants Smart Partners and 1st Million are permanently restrained and enjoined from violating Section 17(a) of the Securities Act of 1933 (the "Securities Act") [15 U.S.C. § 77q(a)] in the offer or sale of any security by the use of any means or instruments of transportation or communication in interstate commerce or by use of the mails, directly or indirectly:

- (a) to employ any device, scheme, or artifice to defraud;
- (b) to obtain money or property by means of any untrue statement of a material fact or any omission of a material fact necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading; or

(c) to engage in any transaction, practice, or course of business which operates or would operate as a fraud or deceit upon the purchaser.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also binds the following who receive actual notice of this Judgment by personal service or otherwise: (a) Defendants' officers, agents, servants, employees, and attorneys; and (b) other persons in active concert or participation with Defendants or with anyone described in (a).

III.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendants Smart Partners and 1st Million are liable, jointly and severally with each other, for disgorgement of \$15,425,662, representing net profits gained as a result of the conduct alleged in the Complaint, together with prejudgment interest thereon in the amount of \$828,164, for a total of \$16,253,826, \$1,026,514 of which is offset by the preliminary order of forfeiture in the Criminal Action in that same amount, for an outstanding judgment of \$15,227,312.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendants Smart Partners and 1st Million pay, jointly and severally with each other, a civil penalty in the amount of \$15,425,662 pursuant to Section 20(d) of the Securities Act [15 U.S.C. § 77t(d)] and Section 21(d)(3) of the Exchange Act [15 U.S.C. § 78u(d)(3)]. The Commission may enforce the Court's judgment for penalties by the use of all collection procedures authorized by law, including the Federal Debt Collection Procedures Act, 28 U.S.C. § 3001 *et seq.*, and moving for civil contempt for the violation of any Court orders issued in this action.

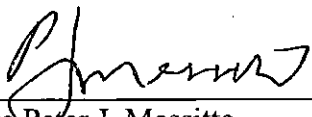
IV.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Relief Defendant Access2Assets has been unjustly enriched is liable for disgorgement of \$770,000, representing net profits gained as a result of the conduct alleged in the Complaint, together with prejudgment interest thereon in the amount of \$41,339, for a total of \$811,339, \$449,874 of which is offset by the preliminary order of forfeiture in that same amount, for an outstanding judgment of \$361,465.

V.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court shall retain jurisdiction of this matter for the purposes of enforcing the terms of this Final Judgment.

Dated: Nov 9, 2023



Judge Peter J. Messitte
United States District Court for the
District of Maryland